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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,111	11/18/2003	Dwayne Need	MFCP.110237	6120
45809 7590 12/17/2009 SHOOK, HARDY & BACON L.L.P. (c/o MICROSOFT CORPORATION) INTELLECTUAL PROPERTY DEPARTMENT 2555 GRAND BOULEVARD KANSAS CITY, MO 64108-2613				
EXAMINER				
WAL, ERIC CHARLES				
ART UNIT		PAPER NUMBER		
2195				
MAIL DATE		DELIVERY MODE		
12/17/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/716,111

Applicant(s)

NEED ET AL.

Examiner

ERIC C. WAI

Art Unit

2195

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4, 13, 14 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 4, 13-14 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-06)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-2, 4, 13-14 and 16 are presented for examination.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/23/2009 has been entered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4, 13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stall (US Pat No. 6,954,933) in view of Carbone et al. (US PG Pub No. US 2004/0133893 A1).

5. Regarding claim 1, Stall teaches in a threaded computing environment having a plurality of contexts, each context capable of containing a queue, context settings, a context dictionary, and objects (col 2 lines 24-26, 32-34), a method for allocating the access of threads to a user interface context, the method comprising:

receiving a request to access the user interface context from a first thread (col 1 lines 35-38, wherein threads call into the window manager): wherein the user interface context is configured to receive input from a user, to provide output to the user, and to maintain the context settings and the context dictionary (col 1 lines 28-33, 38-40, wherein the window manager receives input and displays output and manages objects);

determining whether the user interface context is presently being accessed by a second thread (col 1 lines 38-42, wherein only one thread at a time can access the user interface context);

when the user interface context is presently being accessed by a second thread, denying the request to access the user interface context received from the first thread (col 1 lines 38-42, wherein only one thread at a time can access the user interface context); and

when the user interface context is not presently being accessed by a second thread , performing a process comprising:

(a) allowing the request to access the user interface context received from the first thread (col 1 lines 38-43, wherein a thread is allowed to access the user interface context when it is not locked by another thread);

(b) updating a context record maintained by the first thread to reflect that access is allowed to the user interface context (col 1 lines 39-42, wherein it is inherent that some record is updated so that the allowed thread has access to quickly modify objects and perform other operations without requiring additional locks);

(c) verifying that the first thread has obtained exclusive access to the user interface context by checking the context record (col 1 lines 39-49, wherein the single thread has exclusive access).

6. However, Stall does not teach temporarily assigning to the first thread the context settings and the context dictionary maintained by the user interface context while the first thread is operating within the user interface context, wherein assigning comprises placing the context settings and the context dictionary within thread settings of the first thread upon accessing the user interface context, and wherein settings of the context settings and dictionary information of the context dictionary are specified at a context level, rather than on a thread level.

7. Carbone teaches the use of maintaining environment variables wherein the variables are maintained at a process-wide level, i.e. at the environment or context level ([0006]). By setting and applying environment variables to individual threads, program behavior can be modified ([0004]). Such environment variables are analogous to the context settings since a context is essentially an environment in which jobs run.

8. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Stall to include the applying of environment variables to thread

settings. One would be motivated by the desire to dynamically change the behavior of programs based on the environment as taught by Carbone ([0004]).

9. Regarding claim 4, Stall and Carbone do not explicitly teach restoring the thread settings when a thread departs the user interface context. It would have been obvious to one of ordinary skill in the art at the time of the invention to include restoring the thread settings after the thread finished using the resource.

10. Regarding claims 13 and 16, they are the computer readable media claims of claims 1 and 4 above. Therefore they are rejected for the same reasons as claims 1 and 4 above.

11. Claims 2 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stall (US Pat No. 6,954,933) and Carbone et al. (US PG Pub No. US 2004/0133893 A1) further in view of Coutant (US Pat No. 6,293,712).

12. Regarding claim 2, Kelly does not teach:

maintaining a context record associated with each thread that identifies the contexts accessed by the thread, the most recent entry in the context record indicating the context presently being accessed by the thread;

when a thread accesses an object in the user interface context, checking the most recent entry in the context record associated with the thread;

determining whether the most recent entry in the context record matches the context of the object being accessed; and

if the most recent entry in the context record does not match the context of the object being accessed, raising an exception.

13. Coutant teaches using a "context record" which is used to describe thread state in the most recent procedure activation at the point of interruption (col 5 lines 52-55). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kelly to utilize a context record to track previously performed procedures by the thread to perform exception handling. Furthermore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kelly and Coutant by checking the most recent entry in the context record to match the context of the object being accessed. One would be motivated by the desire to ensure that the information saved to the context record is correct.

14. Regarding claim 14, it is the computer readable media claim of claim 2 above. Therefore it is rejected for the same reasons as claim 2 above.

Response to Arguments

15. Applicant's arguments with respect to claims 1-2, 4, 13-14 and 16 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric C. Wai whose telephone number is 571-270-1012. The examiner can normally be reached on Mon-Thurs, 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng - Ai An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Meng-Ai An/

/Eric C Wai/

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Supervisory Patent Examiner, Art Unit 2195

Examiner, Art Unit 2195